

## **REMARKS**

Claims 1-24 are now pending in the application. Claims 1-20 stand rejected. Claims 1, 6, 8, 11, 18, and 19 have been amended. New Claims 21-24 have been added. Support for any claim amendments and additions can be found throughout the application as originally filed. As such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks and amendments contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 10, 18, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Groleau et al. (European Pat. No. 1199243, hereinafter "Groleau"). This rejection is respectfully traversed.

Groleau discloses a system (101) having a pinion (104) and tubular portion (125) separated by bearing (140), so that end (106) can rotate around the pinion (104) while being axially immobilized. See Groleau at least at paragraph [0039] and Fig. 5. The rotation of the crown (114) of the steering wheel (102) is similarly achieved through a bearing (141) between the crown (114) and the tubular wall (126). See Groleau at least at paragraph [0040] and Fig. 5.

In contrast, Applicants' amended Claims 1 and 18 recite:

(Claim 1)...the bearings **both being retained** to the fixed element **by a first retaining element**...

(Claim 18)...**a first retaining element** having a first section and a second section, wherein the first section **retains** about one-half of each of **the first and second bearings** to the fixed element and the second section retains another about one-half of each of the first and second bearings to the fixed element...

Applicants submit that Groleau does not teach, suggest, or disclose each and every element of independent Claims 1 and 18. In particular, Groleau fails to teach or suggest both bearings being retained to the fixed element by a single retaining element.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the...claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

In contrast to claims 1 and 18, Groleau teaches two separate retaining elements in meshing contact (e.g., the pinion (104) and the crown (114)) to retain the first and second bearings (140, 141). Neither the pinion (104) nor the crown (114) acts to retain both of the bearings (140, 141). As such, Applicants respectfully submit that Groleau does not teach, suggest or disclose each and every element of independent Claims 1 and 18. Therefore, Applicants respectfully request the Office to reconsider and withdraw the rejection of Claims 1 and 18 under 35 U.S.C. § 102(b).

As Claim 10 depends from Claim 1 and Claim 19 depends from Claim 18, these claims are not anticipated by the teachings of Groleau for at least the reasons noted above. Additionally with respect to Claim 19, Applicants submit that independently allowable subject matter exists as the amended claim recites, “...a surface of the first bearing and a surface of the second bearing are coplanar.” Groleau does not teach or suggest coplanar surfaces as claimed. Accordingly, Applicants respectfully request the

Examiner to reconsider and withdraw the rejection of Claims 10 and 19 under 35 U.S.C. § 102(b).

**REJECTION UNDER 35 U.S.C. § 103**

Claims 1, 8, 11, 16, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Battermann et al. (U.S. Pat. No. 6,264,235, hereinafter "Battermann") in view of Koenig (German Pat. No. 3940391, hereinafter "Koenig"). Claims 2-5, 9, 12, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Battermann in view of Koenig, as applied to Claims 1, 8, 11, 16, and 17 above, and in further view of Paris & du Rhone (French Pat. No. 2384157 A, hereinafter "Paris"). Claims 6, 7, 14, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Battermann in view of Koenig, as applied to Claims 1, 8, 11, 16, and 17 above, and further in view of Bair et al. (U.S. Pat. No. 5,044,785, hereinafter "Bair"). Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Groleau in view of Paris. These rejections are respectfully traversed for the reasons below.

**Claim 20**

Claim 20 depends from Claim 18. As noted above with respect to Claim 18, Groleau fails to teach or suggest an arrangement in which both bearings are retained to a fixed element by a single retaining element. The teachings of Paris are similarly deficient. Furthermore, the claimed subject matter would not have been obvious in view of the collective art of record. Accordingly, Applicants respectfully submit that the rejection of Claim 20 under 35 U.S.C. § 103(a) has been overcome.

### Claims 1-9

Battermann discloses a steering wheel having a lower hub (1) and an upper hub (2) connected by screws (3). See Battermann at least at Col. 3, line 66 – Col. 4, line 1 and Figure 2. Four hub spokes (4), which are clamped between the lower and upper hubs (1, 2), support the steering wheel rim (10). See Battermann at least at Col. 4, lines 2-10. A bearing (12) is connected to the upper hub part (2) by a bearing ring (13) and screws (14). See Battermann at least at Col. 4, lines 19-21. A rotary plate (11) mounted on the bearing (12) is provided as a rotary mounted component part such that the rotary plate (11) remains in position while the lower hub (1), upper hub (2), and steering wheel (4, 10) rotate in unison. See Battermann at least at Col. 4, lines 17-29.

In contrast to the cited art, independent Claim 1 recites:

...the annular bearing **supporting a steering wheel for rotation relative to the fixed element**, the fixed element also carrying **a second bearing**, the second bearing **rotatably supporting a component to be connected to part of the steering column of a vehicle**, the bearings **both being retained** to the fixed element by a first retaining element...

In this regard, Battermann fails to teach or suggest that the first bearing supports the steering wheel for rotation relative to the fixed element, fails to teach or suggest a second bearing or that the second bearing rotatably supports a component to be connected to part of the steering column, and fails to teach or suggest both bearings being retained by a retaining element.

The Koenig reference fails to remedy the numerous deficiencies of Battermann, instead reciting only a plurality of bearings (14, 14', 18, 20, 20') within a steering device for a space-saving design. In particular, Koenig discloses a steering column (4) having a first bearing (20), attached to an unnamed part (16) having a second bearing (20'), for

supporting a steering shaft (3) for coaxial rotation therewith. See Koenig at least at Col. 3, lines 40-55 (please note all citations are approximate from translation) and Figure 1. The second bearing (20') is also in contact with a hub (5), which is in turn, supports a steering wheel (1). See Koenig at least at Col. 3, lines 16-20 and Figure 1. At an outer cylindrical wall portion (15), the part (16) is in contact with a third bearing (14) attached to an axial bar (12) through a sleeve (11). See Koenig at least at Col. 3, lines 30-37; Col. 4, lines 13-22; and Figure 1. The axial bar (12) is attached to another sleeve (11') holding a fourth bearing (14'), which is in turn, connected to a part having an outer cylindrical wall portion (15'). See Koenig at least at Col. 3, lines 39-43 and Figure 1.

Applicants respectfully submit that the combination of references cited by the Office does not present a *prima facie* case of obviousness for independent Claim 1. As noted above, the Battermann reference fails to disclose the annular bearing “supporting a steering wheel for rotation relative to the fixed element.” Relative motion is a fundamental mechanical concept, which can be defined as the change in position of a body with respect to a second body. As can be seen, however, the Battermann hubs (1, 2) are fixed to the steering wheel rim (10) through the hub spokes (4), and therefore, cannot rotate relative to this element. See Battermann at least at Figure 2. Therefore, the steering wheel cannot rotate relative to the hubs—they rotate together in unison. Further, the Battermann reference relies upon this arrangement to rotationally drive the steering column. Modification of this integral connection between the steering wheel rim (10) and the lower and upper hubs (1, 2) would cause the device to fail.

Additionally, the Office notes that Battermann fails to disclose the second bearing, but believes that “it would have been obvious to one having ordinary skill in the art to provide a second bearing supporting a component to be connected to part of the steering wheel column and being retained to a fixed element (at D) by means of the first resilient retaining element...” See Office Action dated August 11, 2009 at Page 4. Applicants assert, however, that providing such a second bearing in the device of Battermann is completely unnecessary, as such a bearing would be redundant of the existing bearing (12).

In view of at least the above discussion, Applicants respectfully submit that Battermann in combination with Koenig fails to teach or suggest each and every element of independent Claim 1, and thus, Applicants respectfully request the Office to reconsider and withdraw the rejection of Claim 1 under 35 U.S.C. § 103(a).

Insofar as Claims 2-9 directly or indirectly depend from Claim 1, these claims are similarly be in condition for allowance for at least the reasons noted above. Accordingly, Applicants respectfully request the Office to reconsider and withdraw the rejection of Claims 2-9 under 35 U.S.C. § 103(a).

#### Claims 11-17

Applicants respectfully refer the Examiner to the remarks regarding Claims 1-9 for discussion of the Battermann and Koenig references. In contrast to the cited art, independent Claim 11 recites:

...a fixed element carrying a first annular bearing and **a second annular bearing**, wherein the first bearing **supports a steering wheel for rotation relative to the fixed element** and the second bearing **supports a steering column for rotation relative to the fixed element**;

a first retaining element having a first section and a second section, wherein **the first section retains the first and second bearings to the fixed element at a first height** and the second section **retains the first and second bearings to the fixed element at a second height**, the first height being **greater than** the second height...

For at least the reasons noted above with respect to Claim 1, Applicants assert that Battermann fails to teach or suggest that the first bearing supports the steering wheel for rotation relative to the fixed element, fails to teach or suggest a second bearing or that the second bearing supports a steering column for rotation relative to the fixed element, and fails to teach or suggest both bearings being retained by a retaining element. Additionally, Battermann fails to teach or suggest that the retaining element includes sections have differing heights.

Accordingly, in view of at least the above discussion, Applicants respectfully submit that Battermann in combination with Koenig does not teach or suggest each and every element of independent Claim 11, and thus, Applicants respectfully request the Office to reconsider and withdraw the rejection of Claim 11 under 35 U.S.C. § 103(a).

Insofar as Claims 12-17 directly or indirectly depend from Claim 11, these claims are similarly in condition for allowance for at least the reasons noted above. Accordingly, Applicants respectfully request the Office to reconsider and withdraw the rejection of Claims 12-17 under 35 U.S.C. § 103(a).

## **NEW CLAIMS**

Applicants have added new Claims 21-24 for the Examiner's consideration. Claim 21 recites a retaining element with a first portion retaining a first bearing to the fixed element and a second portion for retaining a second bearing to the fixed element. Claim 21 further recites that the first portion is resiliently coupled to the second portion. Applicants respectfully submit that Claim 21 and Claims 22-24 dependent therefrom are in a condition for allowance.

## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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